

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:

MIDNIGHT MADNESS
DISTILLING LLC,

Debtor.

)
)
) Case No. 21-11750-MDC
)
)

) Chapter 11
)

**LIMITED OBJECTION TO NOTICE OF ASSUMPTION, ASSIGNMENT AND CURE
AMOUNT WITH RESPECT TO EXECUTORY CONTRACTS AND
UNEXPIRED LEASES OF THE DEBTOR**

Now comes Isuzu Finance of America, Inc. ("Isuzu"), a creditor of the Debtor, and for its Limited Objection to Debtor's Notice of Assumption and Cure Amount with Respect to Executory Contracts and Unexpired Leases of the Debtor [Dkt. 114], states as follows:


1. Isuzu and Midnight Madness Distilling LLC ("Debtor") entered into Vehicle Lease Agreement LA126156 dated on or about August 29, 2018 and related Vehicle Schedule (together the "Lease") for the lease of the following equipment: one (1) 2018 Isuzu FTR; VIN: 54DK6S162JSG01744 (the "Equipment"). A true and correct copy of the Lease is attached hereto as **Exhibit A**.

2. Isuzu is the owner of the Equipment and has a properly perfected security interest in the Equipment. True and correct copies of the Certificate of Title and Isuzu's UCC Financing Statement are attached hereto as **Exhibit B**.

3. Isuzu objects to the assignment of the Lease as the Lease expires on August 27, 2021 and no notice of an intent to purchase the Equipment was timely received by Isuzu. After the expiration of the lease, the lessee will have no interest in the lease or the leased equipment.

Dated 9/25, 2021

By:

/s/ 
Counsel for Isuzu Finance of America, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of August 2021, the foregoing was electronically filed through CM/ECF and the following parties were served via the following methods on August 25 2021:

Via the Court's electronic notification system

- WILLIAM J. BURNETT william.burnett@flastergreenberg.com, william.burnett@ecf.inforuptcy.com;jennifer.vagnozzi@flastergreenberg.com;jeanne.valentino@flastergreenberg.com
- KEVIN P. CALLAHAN kevin.p.callahan@usdoj.gov
- JULIE A. CALLSEN julie.callsen@tuckerellis.com, brittany.falkner@tuckerellis.com;thomas.fawkes@tuckerellis.com
- HOWARD GERSHMAN hg229ecf@gmail.com, 229ecf@glpoc.comcastbiz.net
- HARRY J. GIACOMETTI harry.giacometti@flastergreenberg.com, harry.giacometti@ecf.inforuptcy.com;jennifer.vagnozzi@flastergreenberg.com;giacometti.flastergreenberg@gmail.com;jeanne.valentino@flastergreenberg.com
- MATTHEW A. HAMERMESH mhamermesh@hangle.com, ecffilings@hangle.com;kem@hangle.com;mjl@hangle.com
- MEGAN N. HARPER megan.harper@phila.gov, karenablalock@phila.gov
- JEFFREY KURTZMAN Kurtzman@kurtzmansteady.com
- JENNIFER L. MALESKI jmaleski@dilworthlaw.com, mdolan@dilworthlaw.com;cchapman-tomlin@dilworthlaw.com
- MICHAEL G. MENKOWITZ mmenkowitz@frof.com, brian-oneill-fox-5537@ecf.pacerpro.com;jdistanislao@foxrothschild.com
- CAROL E. MOMJIAN cmomjian@attorneygeneral.gov
- JOEL L. PERRELL jperrell@MilesStockbridge.com
- United States Trustee USTPRegion03.PH.ECF@usdoj.gov

Via First Class Mail

William J. Burnett
Flaster/Greenberg P.C.
1835 Market Street
Suite 1050
Philadelphia, PA 19103

Midnight Madness Distilling LLC
118 N. Main Street
Trumbauersville, PA 18970

Harry J. Giacometti
Flaster/Greenberg, P.C.
1835 Market Street
Suite 1050
Philadelphia, PA 19103

Kevin P. Callahan
United States Trustee
200 Chestnut Street
Suite 502
Philadelphia, PA 19106-2912

Ally Bank, c/o AIS Portfolio Services, LP
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118

Uline
12575 Uline Drive
Pleasant Prairie, WI 53158

Wm. F. Comly & Son, Inc.
1825 E. Boston Street
Philadelphia, PA 19125-1296

THEODORE J. ZELLER
Norris McLaughlin
515 West Hamilton Suite 502
Allentown, PA 18101

/s/ 
Counsel for Whole Century (USA) LLC